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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ALBERT HERNANDEZ,  
  
Defendant.

Case No. 2:12-CR-00088-JCM-CWH

**Stipulation To Continue Supervised  
Release Revocation Hearing**  
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defendant and Jacquelyn N. Witt, Assistant Federal Public Defender, counsel for Albert Hernandez, ("Hernandez"), that the supervised release revocation hearing in the abovementioned case, which is currently scheduled for October 7, 2022 at 11:00 a.m., be continued and reset to a date and time convenient to this Court, but not sooner than 14 days from the current hearing date for the following reasons:

1           1.       On or about August 30, 2022, Hernandez appeared on the petition seeking  
2 to revoke his supervised release and was detained pending a the supervised release  
3 revocation hearing, which is currently scheduled for October 7, 2022 at 11:00 a.m..

4           2.       The parties have agreed to continue the supervised release revocation  
5 hearing for at least 14 days because the government needs additional time to adequately  
6 prepare for the revocation hearing.

7           3.       The defendant is incarcerated but does not object to the continuance.

8           4.       The parties agree to the continuance.

9           5.       The additional time requested herein is not sought for purposes of delay,  
10 but merely to allow the government sufficient time within which adequately prepare for  
11 the revocation hearing. Additionally, denial of this request for continuance could result in  
12 a miscarriage of justice, and the ends of justice served by granting this request, outweigh  
13 the best interest of the public and the defendant in a speedy hearing.

14          6.       This is the first stipulation to continue the hearing.

15          DATED this 30th day of September, 2022.

16          RENE L. VALLADARES  
17          Federal Public Defender

                NICHOLAS A. TRUTANICH  
                United States Attorney

18                /s/ Jacquelyn N. Witt  
19          By \_\_\_\_\_  
20          Jacquelyn N. Witt  
                Assistant Federal Public Defender

                      /s/ Kimberly M. Frayn  
                By \_\_\_\_\_  
                KIMBERLY M. FRAYN  
                Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3  
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 ALBERT HERNANDEZ,

8 Defendant.

Case No. 2:12-CR-00088-JCM-CWH

**Findings of Fact, Conclusions of Law  
and Order**

9  
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore,  
12 the Court finds that:

13 1. On or about August 30, 2022, Hernandez appeared on the petition seeking  
14 to revoke his supervised release and was detained pending a the supervised release  
15 revocation hearing, which is currently scheduled for October 7, 2022 at 11:00 a.m..

16 2. The parties have agreed to continue the supervised release revocation  
17 hearing for at least 14 days because the government needs additional time to adequately  
18 prepare for the revocation hearing.

19 3. The defendant is incarcerated but does not object to the continuance.

20 4. The parties agree to the continuance.

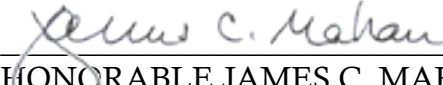
21 5. The additional time requested herein is not sought for purposes of delay,  
22 but merely to allow the government sufficient time within which adequately prepare for  
23 the revocation hearing. Additionally, denial of this request for continuance could result in  
24 a miscarriage of justice, and the ends of justice served by granting this request, outweigh  
25 the best interest of the public and the defendant in a speedy hearing.  
26

1           6.       This is the first stipulation to continue the hearing.

2                               **ORDER**

3           THEREFORE, IT IS HEREBY ORDERED that the revocation hearing in the  
4 above-captioned matters, currently scheduled for October 7, 2022, be vacated and  
5 continued to a date and time convenient to this Court, that is on **November 4, 2022,**  
6 **at 11:00 a.m.**  
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10          DATED September 30, 2022

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13                               HONORABLE JAMES C. MAHAN  
14                               United States District Court Judge  
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